

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-cv-22538-ALTMAN/Reid

PIERCE ROBERTSON *et al.*,

*Plaintiffs,*

*v.*

MARK CUBAN *et al.*,

*Defendants.*

---

**ORDER**

On June 6, 2023, we granted the Plaintiffs’ Motion for Leave to File Second Amended Class Action Complaint. *See* Paperless Order Granting ECF No. 121 [ECF No. 152]. The Plaintiffs timely filed their Sealed Second Amended Class Action Complaint [ECF No. 155] on June 9, 2023. Now, the Defendants have filed an Expedited Motion to Set a Coordinated Motion to Dismiss Briefing Schedule and Vacate the Operative Scheduling Order (the “Motion”) [ECF No. 162].

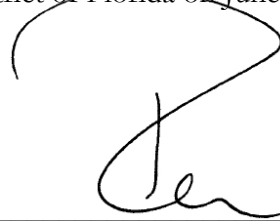
In their Motion, the Defendants note that the Second Amended Class Action Complaint “adds three new, apparently as-yet-unerved defendants,” *id.* at 1, and that, in cases with multiple defendants, our practice is to require defendants to “file their responses and motions jointly,” with “the time for responsive pleadings” starting “when the last Defendant is served.” *Id.* at 2 (quoting Order in Cases with Multiple Plaintiffs and Defendants [ECF No. 4] at ¶ 3). Accordingly, the Defendants ask us to “vacate the operative Scheduling Order, so that the [newly added] defendants can have input on the schedule and the Court can most efficiently coordinate adjudication of [the] Plaintiffs’ claims against all [of the] Defendants.” *Id.* at 1–2. And that makes sense. We therefore **GRANT** the Motion and

**ORDER AND ADJUDGE** as follows:

- a. The Amended Order Setting Trial and Pre-Trial Schedule [ECF No. 58] is **VACATED**.

- b. The parties are **DIRECTED** to adhere to the Order in Cases with Multiple Plaintiffs and Defendants [ECF No. 4], which states that the “time for responsive pleadings—*for all Defendants*—begins to run when the last defendant is served.” Order in Cases with Multiple Plaintiffs and Defendants ¶ 3 (emphasis added).
- c. The parties **SHALL** prepare and file an amended joint scheduling report, as required by Local Rule 16.1, within **seven days** of the Defendants’ response to the Second Amended Class Action Complaint [ECF No. 155]. By that same date, any newly-added Defendant must file a certificate of interested parties and a corporate disclosure statement that contains a complete list of persons, associated persons, firms, partnerships, or corporations that have a financial interest in the outcome of this case, including subsidiaries, conglomerates, affiliates, parent corporations, and other identifiable legal entities related to a party.

**DONE AND ORDERED** in the Southern District of Florida on June 20, 2023.



**ROY K. ALTMAN**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record